

REMARKS

Reconsideration is respectfully requested in view of the foregoing amendments to the claims and the following remarks.

The claims presently in the application are 1-15, inclusive. The amendments made to claims 2-4, 6, 7, and 9-15 are fully supported in the as-filed specification.

Claim 2 has been amended to depend from claim 1, and, furthermore, applicants must specify the active metal components removed in step (d). In point of fact, the metal components dissolved by action of an acid during step (c) are distributed onto the mixture support of alumina and titania to provide the intended dioxin removal catalyst to have the compositional range recited in claim 1 and during step (d). At this point, the active metal component present beyond the required compositional range is removed along with excess moisture by the dehydrating step. Support for these amendments are to be found at page 10, line 25 to page 12, line 1 of the as-filed specification. And by this means, it is respectfully submitted that the §112 rejection, second paragraph, Item 3A has been overcome and should be withdrawn.

As to the B part of the §112, second paragraph rejection, with respect to lines 2-3 in claim 7, Applicants have rewritten the phrase “2-3 µm particles” to refer to particles having a size of 2-3 µm in currently amended claim 7. Furthermore, Applicants have clarified the basis for the recitation of “40-60 vol%”. In light of this amendment to claim 7, its rejection under §112, second paragraph, as being “vague and indefinite” has been overcome and should be withdrawn.

The claim objections noted by the Examiner, which are Item 1, A-Q, inclusive, have been attended to by virtue of the amendments made to claims 2, 4, and 6-13. Accordingly, the objections having been overcome, they should be withdrawn.

Finally, with respect to the rejection of claims 1-6, 8 and 13 under the judicially created doctrine of obviousness-type double patenting over claims 1, 3-7, 9, 11 and 13 of U.S. 6,602,818 B2, Applicants submit herewith a Terminal Disclaimer, which serves to overcome the obviousness-type double patenting and rejection.

It is respectfully submitted that claims 1-15 are in condition for allowance, and a Notice to that effect is respectfully solicited.

Please charge any fees which may be due and which have not been submitted herewith to our Deposit Account No. 01-0035.

Respectfully submitted,



JAY S. CINAMON
Attorney for Applicants
Reg. No. 24,156

ABELMAN, FRAYNE & SCHWAB
150 East 42nd Street
New York, New York 10017
(212) 949-9022
(212) 949-9190